

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

MARY K. HICKS, et ux.

\*

Case No. 91305550 (MD) (1)

Case No. 93-3209

\*

Plaintiffs

\*

v.

\*

\*

AC&S, INC., et al.

\*

Defendants

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\* \* \* \* \*

**MOTION FOR LEAVE TO AMEND, FOR SUBSTITUTION OF PARTIES  
AND TO DISMISS THE LOSS OF CONSORTIUM CLAIM**

1. Kathryn R. Poole moves this Court for an Order substituting her, in her capacity as Personal Representative of the Estate of Mary K. Hicks, Plaintiff herein deceased, as Plaintiff in this action, without prejudice to the proceedings already had in this action and, as grounds therefore, show to the Court that Mary K. Hicks, Plaintiff herein, died July 6, 2004, that the said Kathryn R. Poole was appointed Personal Representative of the estate of Mary K. Hicks by the Register of Wills for Baltimore County and that she was duly qualified and is now acting as such Personal Representative; and that this is an action at law for personal injuries and therefore the claim has not been extinguished by the death of Plaintiff.

2. Kathryn R. Poole, Personal Representative of the Estate of

Mary K. Hicks moves this Court for an order dismissing the loss of consortium claim of Floyd M. Hicks, spouse of Mary K. Hicks and for reasons state that Floyd M. Hicks departed this life September 22, 1998.

**WHEREFORE**, Kathryn R. Poole, Personal Representative of the Estate of Mary K. Hicks, requests this Court to substitute her as Plaintiff herein in place of Mary K. Hicks, deceased.

**WHEREFORE**, Kathryn R. Poole, Personal Representative of the Estate of Mary K. Hicks, further requests this Court to dismiss the loss of consortium claim of Floyd M. Hicks, now deceased.

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**ATTORNEY FOR PLAINTIFFS**

**STATEMENT OF AUTHORITIES**

1. United States District Court for the District of Maryland Local Rule 103(b) and (c).

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